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# Trends & issues in crime and criminal justice

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**Abstract** | Recent years have seen the introduction of police body-worn cameras (BWCs) in many countries. Despite the costs involved in purchasing equipment and storing the large amounts of data generated, there is a dearth of evidence to support their mainstream use as part of law enforcement activities. There remains little understanding about the impact and effectiveness of BWCs, and less still on how the police, members of the public and, importantly, arrestees perceive and experience the cameras. In this study, 899 adult police detainees were interviewed about their perceptions and experiences of police BWCs through the Drug Use Monitoring in Australia (DUMA) program. Findings suggest that police detainees in Australia are largely supportive of the use of police BWCs, but this was predicated on a number of operational and procedural requirements. The findings have implications for the use of BWCs as an everyday part of policing apparatus.

## Police detainee perspectives on police body-worn cameras

Emmeline Taylor, Murray Lee, Matthew Willis and Alexandra Gannoni

Recent years have seen a significant increase in the range and sophistication of audiovisual technologies being deployed in policing and crime control. In the 1980s in-car video cameras, or 'dash cams', were introduced in the United States, becoming mainstream in the early 2000s, in an attempt to restore public confidence in the police following alleged racially-biased traffic stops (Taylor 2016). Similarly, cameras have increasingly been integrated into Tasers and firearms to capture information on why the weapons were drawn and to ensure that police officers use them in line with jurisdictional protocols.

However, audiovisual police technology became fully mobile with the introduction of police body-worn cameras (BWCs), or 'cop cams', the global rollout of which has gathered significant momentum in recent years following a number of high-profile incidents. In particular, numerous controversial fatal shootings in the US, captured on mobile phone cameras, exposed the unjustifiable behavior of some on-duty officers and led to demands for frontline police officers to wear body cameras as a matter of course (Elinson 2015; Taylor 2016). In response, in 2015 President Barack Obama pledged funding to introduce BWCs in all US states. While debate has been dominated by the US, police BWCs were first trialled in Australia almost a decade ago, in Western Australia in 2007, and most Australian jurisdictions have trialled, or are planning to trial, BWCs with frontline police officers.

Unsurprisingly, the rapid rollout of police BWCs internationally, in the absence of empirical evidence supporting the numerous claims of effectiveness across multiple variables (reduced use of force by police, fewer citizen complaints against the police, enhanced accountability and so on), has generated significant debate regarding the potential impacts and outcomes.

## Police body-worn cameras: A review of the literature

Police BWCs are varied in design, including how they are affixed to the body, and these variations have important implications for their impact. According to White (2014: 12), some include 'a small camera worn by the officer (on a shirt lapel, hat or sunglasses) that captures what the officer sees', while others include a 'pager-sized device that officers wear on their torso'. Highlighting the many differences, the US National Institute of Justice (US DoJ 2014) published a report examining the features of 18 different models of BWCs. These technical and operational differences must be taken into consideration when analysing the impact of BWCs, but as has been found with other visual surveillance systems, such as CCTV, there is a tendency to presume homogeneity (Taylor 2010; Taylor et al., forthcoming).

Researchers have attempted to understand the effect of BWCs on a range of variables, including police use of force and complaints against the police (Ariel, Farrar & Sutherland 2015; Hedberg, Katz & Choate 2016). Benefits associated with the use of police BWCs that have been suggested but not evidenced include improved behaviour of police officers and citizens, expedited resolution of citizen complaints or lawsuits, improved evidence for arrest and prosecution, and better opportunities for police training.

Key concerns identified in the literature include privacy of citizens and police officers, police officer health and safety, and the substantial and ongoing commitment of finances and resources needed to maintain their use. Other concerns about BWC use centre on police discretion to choose when cameras are recording. It has been argued that 'a camera that can be switched off, or wilfully turned away from a police interaction with an assailant without consequence, cannot increase accountability or reduce poor policing practice' (Taylor 2016: 130). Supporting this, Ariel et al. (2016) found that when officers could choose when to turn cameras on and off use of force rates were 71 percent higher compared to control conditions. They summarised that BWCs can 'reduce police use of force when...officers' discretion to turn cameras on or off is minimized' (Ariel et al. 2016: 454).

There have also been suggestions that the cameras might be used to compile 'risk information' (Ericson & Haggerty 1997) on individuals and groups and extend the net of surveillance and control to already over-policed groups. As Taylor (2016: 131) asserts:

While [the use of BWCs has] been encouraged to assist in reducing racial profiling in stop and search, they could produce other types of discrimination, such as being used to intimidate and record in certain localities and over-policed areas.

In this respect, the cameras have the potential to inflame police-community tensions rather than alleviate them.

Indeed, while privacy issues are a strong and recurrent theme in the literature on police BWCs and the use of surveillance technologies by law enforcement more broadly (for example, see Bud 2016; Joh 2016; Timan 2016), 'little empirical work exists about the privacy and surveillance related implications of police-worn body cameras' (Lippert & Newell 2016: 114).

Despite moves to better understand the impact of police BWCs, very little is known empirically about public attitudes, and less again about the perceptions of those arrested. As such, this research presents rare empirical data on an under-researched topic with a population who will be exposed to the cameras more than most. Understanding the views, opinions and experiences of those on the other side of the lens is paramount and can contribute to an increased understanding of the effectiveness of BWCs, as well as helping to inform future operational and procedural policy.

## Police BWCs in Australia

The use of BWCs by police is becoming increasingly prevalent across Australia. First trialled in Western Australia in 2007, wearable cameras were found to be prohibitively large and expensive, and as such the investment in the technology only began in earnest several years later (Sapienza 2009). Western Australia Police have since revisited the use of BWCs, introducing a randomised control trial to establish whether they could 'reduce assaults against police' and 'reduce the need for use of force by police officers', among other variables (WA Police 2016: n.p.).

In March 2010, the Queensland Police Service began a trial of 10 police BWCs in the Townsville and Toowoomba districts that led to a state-wide rollout of BWCs in July 2016 (Queensland Government 2016). Anecdotally, it has been reported that the cameras were so popular with frontline staff in Queensland that police officers were purchasing their own personal wearable cameras to record their activities, then downloading and storing the resulting images at home (Doorley 2014). Clearly this raises important questions about the quality, impartiality and ownership of this footage, its admissibility in court, and the interoperability of systems and associated software, not to mention potential privacy and data protection breaches (Taylor 2016). It was announced in July 2016 that the Queensland Police Service would roll out 2,200 BWCs to its frontline officers, in addition to the 500 initially trialled by Gold Coast and traffic police. It has been claimed that this represents the largest number of devices issued to any law enforcement agency in Australia, and the fourth largest in the world (Byrne 2016).

In South Australia the state government committed \$5.9 million to the rollout of BWCs to all frontline police officers by mid-2019, with the Police Association of South Australia supporting their implementation as 'commonsense' (cited in Holderhead 2015: n.p.). As in Queensland, there have been reports of police officers using their own devices in the interim, with the Acting Police Ombudsman stating: 'I have noticed that some police officers, upon their own initiative, have purchased their own cameras' (ibid).

The NSW Police Force announced in May 2015 that they had invested over \$4 million in BWC technology to roll out cameras to all frontline police officers. The Minister for Police and Emergency Services, Stuart Ayres, noted that the 'NSW Police Force [had] been trialling the use of body worn video for frontline officers with very positive results,' including changes in the behaviour of potential offenders due to their being recorded, production of an independent and accurate recording of events and a reduction in 'frivolous claims' of misconduct against police (Ayres 2014).

Other Australian states and territories have also invested in BWCs. In 2014, the Northern Territory Police began a trial of 48 BWCs allocated to police officers in selected regions (Northern Territory Police 2016).

Similarly, Tasmania Police have been trialling BWCs in various training scenarios conducted by the Special Operations Group (Billings 2015) and, according to media reports (eg Tatman 2014), Frankston police in Victoria piloted the use of 22 BWCs in 2013–14. Victoria Police are currently evaluating the project and deciding whether to use the cameras more broadly (Victorian Government Solicitors Office 2015). As such, it is clear that there is considerable interest and investment in establishing BWCs as an enduring feature of frontline policing across Australia.

## Method

Data for this study were obtained from the Drug Use Monitoring in Australia (DUMA) program, which aims to provide information on drugs and crime to inform policy initiatives, and to provide an early warning system to inform law enforcement and other stakeholders of changes to the illicit drug market. It achieves these aims by interviewing police detainees quarterly at selected police stations and watch houses across Australia, using a core questionnaire and varying addenda. The core questionnaire collects a range of information including demographic data and drug use information. Quarterly addenda are developed to examine topical issues of policy relevance.

## Survey questions

During the third quarter (July–August) and fourth quarter (October–November) of 2015, the *CCTV and police body-worn video* addendum was used, along with the DUMA core questionnaire. The aim of the addendum was to examine police detainees' perspectives of the use of two types of surveillance technologies deployed for the purposes of crime control and law enforcement: CCTV and police BWCs. Results of the CCTV part of the study are reported in a separate *Trends & issues* paper (Willis et al. 2017) and both are presented in the full report published through the Criminology Research Grants process (Gannoni et al. 2017).

In relation to police BWC, the addendum contained a mixture of closed and open-ended questions exploring detainees' awareness of the deployment of police BWCs; the experience of police BWCs at the point of arrest; and arrestees' perceptions of the cameras and how they affect police behaviour, citizen behaviour and investigations. Open-ended questions from the addendum were coded and thematically analysed.

## Sample

The sample was drawn from police detainees interviewed during the third quarter (July–August) and fourth quarter (October–November) of 2015 at five sites across Australia: Adelaide (SA), Brisbane (Qld), Perth (WA), Surry Hills (NSW; 3<sup>rd</sup> quarter only) and Bankstown (NSW; 4<sup>th</sup> quarter only). This paper reports the findings from adult detainees (18 years and over) at an aggregate level. A total of 899 adult detainees answered questions from the addendum questionnaire. All responses to the survey were voluntary and not all interviewees answered every question.

The vast majority (83%; n=749) of the respondents were male. On average the detainees were 32.65 years of age (SD=10.45 years), with the youngest respondent being 18 and the oldest being 79. Approximately a fifth (19.2%) of respondents identified as Aboriginal or Torres Strait Islander. Just less than half (48%; n=430) of the detainees reported using methamphetamine in the 30 days prior to interview. Detainees could report using more than one drug and a similar proportion (46%; n=411) reported using cannabis. Small proportions reported using heroin (7%; n=62) or ecstasy/MDMA (6%; n=56). In all, 67 percent (n=603) reported using any drug in the 30 days preceding the interview.

Table 1 shows the breakdown of detainees by DUMA site, gender and age.

Table 1: Detainees by DUMA site, gender and age		
DUMA site	n	%
Adelaide	177	20
Bankstown	24	3
Brisbane	349	39
East Perth	302	34
Surry Hills	47	5
Total	899	100
Gender	n	%
Male	749	83
Female	150	17
Total	899	100
Age	n	%
18–20	90	10
21–25	161	18
26–30	180	20
31–35	140	16
36+	328	36
Total	899	100

Note: Percentages may not add up to 100 due to rounding

Source: AIC DUMA 2015 [computer file]

Detainees may have been charged with multiple offences. Each detainee was categorised according to the most serious offence they had been charged with at the time of interview. Table 2 shows the breakdown of detainees by most serious offence category.

Table 2: Detainees by most serious offence category		
Most serious offence <sup>a</sup>	n	%
Violent	288	32
Property	152	17
Drug	102	11
DUI <sup>b</sup>	13	1
Traffic	40	4
Disorder	34	4
Breach	249	28
Other	14	2
Total	892	99

a: Detainees may have been charged with multiple offences; each detainee was categorised according to the most serious offence for which they were being held under charge at time of interview

b: Driving under the influence of alcohol and/or illicit drugs

Note: Cases with missing data were excluded from analysis. Percentages may not total 100 due to rounding

Source: AIC DUMA 2015 [computer file]

## Results

### Awareness and experience of police body-worn cameras

The majority of detainees interviewed (70%; n=620) were aware that police officers sometimes wore BWCs. However, only 12 percent (n=106) reported that the arresting officer was wearing a camera, more than half (57%; n=509) did not know and a third (31%; n=274) reported that the police officer involved in their arrest was not wearing a camera. This reveals the relative unawareness among detainees of the use of cameras. However, since each state police force has trialled the use of cameras in different ways and deployed them to different officers and shifts, it is not possible to determine whether each arresting officer was wearing a camera. As such, while some will have had first-hand experience of interacting with an officer wearing a camera, others may not have. Therefore, the responses reflect the perceptions of detainees, rather than experiences, at the time of interview. Nevertheless, the responses provide baseline indicators of the views of detainees regarding the use of police BWCs in Australia.

### Perceptions of police body-worn cameras

Detainees were asked whether they thought police BWCs were a 'good idea' and the reasons for their views. Detainees were able to give open-ended responses, which were coded into the four main categories of 'evidence', 'protection', 'accountability' and 'fairness', plus 'other', for analysis. Some responses were coded into more than one category.

As shown in Table 3, the vast majority of detainees (80%; n=709), thought police BWCs were a 'good idea'. Detainees were most likely to suggest that they were a good idea because they provided *improved evidence* of events, including arrests (32% of reasons given; n=230). Reasons given typically centred on the recordings giving a more accurate and complete record of events than would be given just through recollection or on the basis of notes or statements. There was recognition that at times it is difficult for an accurate account of events to be captured, particularly if events unfold quickly. The next most common reason given (25%; n=176) was that BWCs provided a measure of *protection* for police and/or citizens, particularly against violence or excessive use of force. These responses indicated that the detainees believed that BWCs could help to assuage tensions and potentially reduce violent encounters between police and members of the public.

A further 23 percent of reasons cited (n=165) related to *accountability*, whereby the police could be held responsible for their actions while on duty, providing an avenue of recourse for citizens should they feel the police acted inappropriately. Responses in this category typically suggested a perception that police may use excessive force or falsely accuse arrestees of offending behaviours and that BWCs would help to guard against this, as illustrated in the interview extracts below:

[The] police charge people with things they didn't do.

At least when you are getting arrested there is a third party video-taping. A lot of officers like to get heavy handed.

[The cameras are a good idea] because it makes them [police] behave more ethically.



Nineteen percent of responses (n=136) related to *fairness*, emphasising the perceived value of BWCs in ensuring that both police and members of the public acted appropriately and in accordance with rules and regulations. Detainees typically referred to BWCs providing fairer outcomes for those on both sides of the arrest. The 58 responses coded as ‘other’ included references to general crime prevention and video recordings being a useful training tool for officers.

Table 3: Detainees’ perceptions about whether police BWCs are a ‘good idea’		
Whether police BWCs are a good idea	n	%
Yes	709	80
No	108	12
Don’t know	73	8
Total	890	100
Reason <sup>a</sup>	n	%
Evidence	230	32
Protection	176	25
Accountability	165	23
Fairness	136	19
Other	58	8
Total	765	107

a: Includes only detainees who perceived police BWCs to be a ‘good idea’

Note: Detainees could give multiple reasons or no reason. Cases with missing data were excluded from analysis

Source: AIC DUMA 2015 [computer file]

Those detainees who reported police BWCs were ‘not a good idea’ (12%; n=108) were asked to expand upon this view. As shown in Table 4, detainees most commonly cited *privacy issues* (21%; n=19) and, related to this, *consent* (19%; n=17). There was concern that police officers might not always inform people they interacted with that they were recording. Furthermore, some felt unease that the cameras would be used to record non-criminal behaviours, which they perceived as being beyond the scope of police surveillance:

It’s an invasion of privacy—they should say that they are wearing a camera. There is signage everywhere saying that CCTV cameras are operating.

Unless there is a crime in progress, no one’s privacy should be invaded.

You need consent before you film someone.

Despite a large proportion of detainees viewing enhanced evidence collection as a benefit of police BWCs, some (7%; n=8) perceived the capacity for evidence from BWCs to be used against them as a negative consequence of being recorded. Added to this was a concern that the camera footage might not provide a neutral or objective account of events, supporting previous literature relating to ‘camera view bias’, where observers of footage are likely to be sympathetic towards the person whose point of view is represented (Taylor & Lee, forthcoming).



Detainees also cited issues of *fairness* (19%; n=21), particularly around concerns that police could edit footage or use the cameras selectively. Some detainees expressed concerns that police could choose when to turn cameras on or off, potentially turning them off as they mistreat people being arrested and then turning them on to record the arrestees' behaviour once provoked. Others were concerned footage may be edited to give a false impression of what occurred. In light of these concerns, technological developments and protocols regarding the operation of the cameras should be developed to minimise the potential for interference with the equipment. It has been suggested (Taylor 2016; Taylor & Lee, forthcoming) that using automatically activated cameras might be the most appropriate way to use the technology, eliminating accusations of selective recording or post-hoc editing. There are grounds for constraining police discretion in deciding when recording should be stopped. As Taylor (2016: 129) has argued:

The ability of officers to 'edit on the fly' fundamentally undermines any potential benefits the cameras introduce. That is why avoiding opportunities for redaction...is key to implementation.

Some detainees, perhaps unexpectedly, expressed empathetic views towards police. Some said that carrying the cameras could add to the officers' burdens and that the cameras could at times be contrary to the interests of *protection*, putting police in danger because of increased aggression by arrestees or difficulty operating the cameras. This latter point was also picked up in the literature, with empirical work by Timan (2016: 147) suggesting:

The clunky interface box and rather difficult setup of clips and cables makes it not only a hassle to use, but also potentially dangerous.

**Table 4: Why detainees perceived police BWCs as 'not a good idea' (n=108)**

Reason	n	%
Privacy issues	23	21
Fairness issues	21	19
Consent issues	17	16
Evidence (used against detainee or others)	8	7
Protection	7	6
Other	30	28
No reason given	8	7
Total	114	104

Note: Detainees could give multiple reasons or no reason. Includes only detainees who perceived police BWCs to be 'not a good idea'. Cases with missing data were excluded from analysis

Source: AIC DUMA 2015 [computer file]

Participants were invited to respond to statements about the use of BWCs using a five-point Likert scale that measured their level of agreement, from 1 (strongly disagree) to 5 (strongly agree) (see Table 5). Although overall the respondents did not think there would be less crime on the streets if police wore cameras (40%; n=353), the interviewees believed that the use of cameras could have some benefits. The majority of detainees (73%; n=643) believed that police wearing cameras would treat people they were arresting more fairly. Similarly, the majority of detainees (69%; n=599) thought that police would be less likely to use too much force during arrests if wearing cameras, and more than half of the sample (58%; n=494) believed that arrestees would be less likely to use violence against police who were wearing cameras. In terms of *evidence*, most detainees (77%; n=673) believed that people appearing in court would get a fairer outcome if evidence from cameras worn by police were used.

There were distinctions drawn about consent and who is a legitimate target of video recording. Almost two-thirds (64%) disagreed or strongly disagreed that the police should be able to record people without their permission, whereas the majority of respondents (78%) believed that the public should be allowed to record anything the police do while on duty.

Table 5: Detainees' perceptions of police BWCs					
	Strongly Disagree n (%)	Disagree n (%)	Neither agree nor disagree n (%)	Agree n (%)	Strongly agree n (%)
<b>Citizen behaviour</b>					
People being arrested are less likely to use violence against police who are wearing cameras (n=875)	38 (4)	173 (20)	163 (19)	409 (47)	92 (11)
There will be less crime if police are wearing cameras (n=880)	56 (6)	297 (34)	209 (24)	270 (31)	48 (5)
<b>Police behaviour</b>					
Police wearing cameras will treat people they are arresting more fairly (n=880)	21 (2)	89 (10)	127 (14)	495 (56)	148 (17)
Police are less likely to use too much force during arrests if they are wearing cameras (n=873)	17 (2)	126 (14)	131 (15)	441 (51)	158 (18)
<b>Evidence</b>					
People appearing in court will get a fairer outcome if evidence from cameras worn by police is used (n=876)	16 (2)	67 (8)	120 (14)	510 (58)	163 (19)
<b>Privacy/Consent</b>					
The public should be allowed to record anything police do while on duty (n=875)	22 (3)	86 (10)	89 (10)	462 (53)	216 (25)
Police should be allowed to record people without their permission (n=875)	219 (25)	341 (39)	122 (14)	165 (19)	28 (3)

Note: Cases with missing data were excluded from analysis. Percentages may not total 100 due to rounding

Source: AIC DUMA 2015 [computer file]

## Discussion and conclusions

Body-worn cameras have been claimed to be a positive development in policing that will improve a range of practices and behaviours—both of police officers and those interacting with them. In particular, police BWCs are said to increase police accountability and transparency. However, as scholars (Joh 2016; Manning 2015; Mateescu, Rosenblat & boyd 2016; Taylor 2016) have asserted, unless cultural and regulatory changes in policing accompany the introduction of BWCs, the claims of increased accountability are likely to ring hollow. As Manning (2015: n.p.) has noted:

It has been proposed that miniature cameras worn on the uniform will increase accountability. This claim has no empirical basis. There has been little systematic research on the question. Police typically announce the success of innovations before they are evaluated. The police position generally is, “Why would we do it if we did not think it would improve things?”

Issues of accountability were also of concern to detainees in this study (see also Lee, Taylor & Willis, forthcoming). Many respondents were positive in this respect, believing that BWCs could lead to more ethical police behaviours. However, others identified that the ability of individual police officers to choose when to start and stop recording could threaten any increase in accountability and lead to greater unfairness (further analysed in Taylor & Lee, forthcoming).

The present study is the first to access the views and experiences of arrestees in relation to BWCs. It provides a unique perspective on the perceptions and the practical application of surveillance technologies. The findings indicate a high level of awareness among detainees that police use BWCs, but also indicate that this awareness does not necessarily change their behaviour. The findings show overall support for the use of BWCs, with a substantial proportion of detainees citing benefits for the police and increased fairness for both police and those being arrested.

Beyond this study there is very little empirical data available on arrestee perceptions, yet the overwhelming rhetoric is that the cameras will greatly improve the behaviour of those interacting with the police. BWCs have been depicted as reducing police use of force and violence against police. The camera, it is argued, serves as an impartial witness and in this capacity has a ‘civilizing effect’ (White 2014: 6) on police/citizen interactions. To an extent these arguments were supported by detainees in this study, with more than one-third of those who saw BWCs as ‘a good idea’ citing their capacity to deliver greater protection against violence for police and citizens, enhanced accountability and improved evidence. However, there is little empirical data at this time to suggest that this will be the case in practice.

Detainees largely believed that the public should be able to record anything the police do while on duty but, in contrast, disagreed that the police should be able to record members of the public without their permission. As such, recording citizens without permission could be an aggravating factor in police/public interactions. This is clearly an area in need of further research. It would suggest that, although the detainees were largely in favour of the cameras, this is contingent on there being appropriate procedural and operational policies about how and when they are deployed and activated. This finding further contributes to the debate about the level of discretion officers have in relation to what and when to record.

The responses of detainees in the present study highlight the need for evidence-based policy on the deployment of BWCs. In particular there need to be clear guidelines and protocols about how and when they are operated. The failure to support 'common sense' claims about the benefits and ethical management of BWC data may risk damage to police legitimacy in some contexts. Some detainees were worried about how footage of them might be used. Ensuring cameras were used 'fairly' was a recurrent theme among arrestees and this underpinned support or opposition to the use of police cameras. Clearly, there need to be transparent guidelines about 'who has access to see, share, and delete data produced from body-worn cameras' (Joh 2016: 133).

There remain many questions to be answered: how will data be stored? Who will have access to it and under what circumstances? How will it be retrieved and analysed? How accurate can the footage be claimed to be? It may be that the support for and goodwill towards the introduction of BWCs demonstrated by the respondents, and by the public and police, could quickly fade if these concerns are not adequately addressed. This research indicated broad support for the use of BWCs but also some reservations. Attending to these concerns is important if the potential of BWCs to contribute positively to law enforcement, rather than exacerbating problems, is to be realised.

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URLs correct as at June 2017

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